



# MEMORANDUM

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TO: John Iurino  
Zoning Examiner

DATE: June 12, 2019  
For June 27, 2019 Hearing

FROM: Scott Clark  
Planning & Development Services  
Director

SUBJECT: REZONING – PLANNING & DEVELOPMENT SERVICES REPORT  
C9-19-04 Littletown Road – Craycroft LLC, R-1 to C-1 (Ward 5)

**Issue** – This is a request by Linda Morales and Lexy Wellott of The Planning Center, on behalf of the property owner, DCM Development Company, LLC, to rezone approximately 8.58 acres from R-1 to C-1 zoning. The rezoning site is comprised of vacant undeveloped land located on the southwest corner of Littletown Road and Craycroft Road (see Case Location map). The preliminary development plan (PDP) proposes a mixed-use commercial development with eleven buildings totaling 125,180 square feet of floor area, with required parking, screening and landscaping. Approximately 67,080 square feet of self-storage in seven buildings will be constructed in the western third of the site, and 58,100 square feet of commercial retail and office uses in four buildings, including a Dollar General Store proposed as phase 1 of the development, will be constructed in the remaining eastern portion of the site.

Approximately 8.01 acres of the site is currently identified within the existing property boundaries of the subject parcel. The remaining 0.57 acres along the eastern edge of the rezoning site within the Craycroft Road right-of-way is proposed for acquisition from the City of Tucson and, if acquisition is approved, it will be combined with the existing parcel and incorporated into the project area. The maximum proposed building height on the rezoning site is 24 feet. The C-1 zone allows a building height of up to 30 feet.

**Planning & Development Services Recommendation** – The Planning & Development Services Department recommends approval of C-1 zoning, subject to the attached preliminary conditions.

## **Background Information**

Existing Land Use: Vacant, undeveloped land

Zoning Descriptions:

Existing: R-1 – This zone provides for urban, low density, single-family, residential development, together with schools, parks, and other public services necessary for a satisfactory urban residential environment. Certain other uses, such as day care and urban agriculture, are permitted that provide reasonable compatibility with adjoining residential uses.

Proposed: C-1 – This zone provides for low-intensity, commercial and other uses that are compatible with adjacent residential uses. Residential and other related uses shall be permitted.

Surrounding Zones and Land Uses:

North: Zoned R-1; Educational use (Craycroft Elementary School)

South: Zoned RV; RV park

East: Zoned R-1; single-family residential

West: Zoned R-1; Vacant/undeveloped with single-family residential beyond

Previous Cases on the Property: None

Related Cases:

C9-15-01 Self Storage – 1<sup>st</sup> Avenue, R-3 to C-1 This was a rezoning request for approximately 1.2 acres located on the east side of 1<sup>st</sup> Avenue, approximately 800 feet north of River Road, to allow the development of a 33,280-square foot, 16-foot tall single-story (with basement) self-storage facility to be integrated with the existing self-storage facility on the adjacent parcel to the south. On November 17, 2015, Mayor and Council adopted Ordinance No. 11319 and on August 3, 2017 building permit T16CM03553 was issued, effectuating C-1 zoning on the property.

C9-06-31 Summit Development – Fort Lowell Road, R-2 to C-1 This was a rezoning request for approximately 5.6 acres located on the northeast corner of Fort Lowell Road and Alvernon Way, to allow the development of eight, one- and two-story structures providing 66,900 square feet of office and commercial uses. On November 20, 2007, Mayor and Council adopted Ordinance No. 10478 and on April 3, 2008 building permit T08CM00391 was issued, effectuating C-1 zoning on the property.

**Applicant's Request** – C-1 (Commercial) zone is requested for development of self storage, commercial retail, and office uses.

**Planning Considerations** – *Plan Tucson (PT)* provides policy direction for the rezoning site.

Plan Tucson: Sensitivity to the adjacent residential neighborhoods is a high priority within *PT*. *PT* guidelines support the location of employment, retail and services in proximity to each other to allow easy access and reduce dependence on car travel, and supports infill and redevelopment projects that reflect sensitivity to site and neighborhood conditions and adhere to relevant site and architectural design guidelines. *PT* also supports strategically located mixed-use activity

centers and activity nodes in order to increase transit use, reduce air pollution, improve delivery of services, and create inviting places to live, work, and play, while protecting established residential neighborhoods by supporting compatible development, which may include other residential, mixed-use infill and appropriate non-residential land uses.

The proposed site is within an area identified in *PT* as “Existing Neighborhood”, which are primarily developed, largely built-out residential neighborhoods and commercial districts in which minimal new development and redevelopment is expected in the next several decades. The goal is to protect and maintain the character of the neighborhood by accommodating new, compatible development, and encouraging reinvestment and new services as area amenities. *PT* also encourages context-sensitive community design that protects the integrity of existing neighborhoods, complements adjacent land uses, and enhances the overall function and visual quality of adjacent streets.

The rezoning site is roughly square in shape and totals 8.58 acres of undeveloped property. To the north across Littletown Road is an elementary school in R-1 zoning. Immediately to the west of the site is vacant, undeveloped land with single-family homes beyond, in R-1 zoning. To the south is an RV park, zoned RV. To the east across Craycroft Road are single-family, single-story residences, zoned R-1. Field inspection by staff indicates there are no billboards on the site.

The PDP shows that a 50-foot width of right-of-way (approximately 0.57 acres) along Craycroft Road adjacent to the rezoning site is proposed for acquisition by the property owner/developer. In the event that the acquisition of right-of-way is not approved by the City of Tucson Real Estate Division, the applicant states that the development proposal will be adjusted accordingly to fit within the site’s property boundaries as they currently exist.

### **Design Considerations**

Land Use Compatibility – The rezoning request to C-1 is to allow personal storage, commercial retail and office uses. Per the submitted PDP, a 10-foot wide landscape border is proposed along the entire boundary of the project, with retention-detention basins and screen walls as required by the *Unified Development Code*.

On March 13, 2019 the applicant held the required neighborhood meeting, where there were three neighbors in attendance, two of which own the RV Park immediately south of the rezoning site. After the applicants provided a presentation there was a discussion with questions and answers. Issues discussed included building height, preservation of mountain views, current grading and future road improvements along Craycroft Road. To ensure that views are preserved to the greatest extent feasible, the applicant proposes to limit all buildings to a single story with a maximum of 24 feet in height. TDOT was contacted regarding recent grading activity in the area and a representative stated it was likely work being done for sewer improvements, and further stated that there are no plans for widening Craycroft Road.

Staff recommends that commercial deliveries be limited to between the hours of 7:00 am and 10:00 pm, that gate access to the personal storage facility be limited to between the hours of 6:00 am and 10:00 pm, and that no drive-thru loud speakers be permitted.

Drainage/Grading/Vegetation – The site is within the Julian Wash Watershed and within an area classified as a 500-year floodplain. Additional retention and detention will be required as part of the rezoning conditions. At a minimum, detention equal to or greater than critical basin detention will be required, and additional retention volume, up to 50 percent more than the 5-year threshold retention volume, will be required for all development in this site, and all on-site run-off should drain towards water harvesting areas before overtopping to the adjacent right-of-way or private property. Landscaping in the form of drought-tolerant canopy trees, shrub and groundcover should be planted to enhance the overall visual impact of the proposed uses and the parking area, as required to comply with *Unified Development Code* Table 7.6.4-I.

Road Improvements/Vehicular Access/Circulation – The rezoning site is located at the southwest corner of Littleton Road and Craycroft Road. The PDP indicates that the site and its parking area will be accessed at three points from Littleton Road, with one access point being for the self-storage facility. The commercial retail and office uses will also have three access points from Craycroft Road. The proposed Dollar General store, which is designated as phase 1 of the development, will have two access drives, one from Littleton Road and one from Craycroft Road. According to the *Major Streets and Routes Plan* map, Littleton Road and Craycroft Road are both local streets. The PDP shows that a 50-foot width of right-of-way (approximately 0.57 acres) along Craycroft Road adjacent to the rezoning site is proposed for acquisition by the property owner/developer.

**Conclusion** – The proposed rezoning is consistent with, and supported by, the policy direction provided in *Plan Tucson*. Subject to compliance with the attached preliminary conditions, approval of the requested rezoning is appropriate.

### PROCEDURAL

1. A development package in substantial compliance with the preliminary development plan dated April 26, 2019, and required reports, are to be submitted and approved in accordance with the *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Zoning Amendment". The fully executed Waiver must be received by the Planning & Development Services Department before the item is scheduled for Mayor and Council action.
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of rezoning.

### LAND USE COMPATIBILITY

6. All walls visible from a public right-of-way are to be graffiti-resistant and incorporate one (1) or more visually appealing design treatments, such as the use of two (2) or more decorative materials like stucco, tile, stone, or brick; a visually interesting design on the wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
7. Six (6) inch wide masonry block or greater shall be used for perimeter walls.
8. Commercial delivery hours shall be limited to between 7:00 am and 10:00 pm.
9. Gate hours for access to the personal storage use shall be limited to between 6:00 am and 10 pm.
10. There shall be no drive-thru loud speakers permitted.

TUCON AIRPORT AUTHORITY

11. According to the Federal Aviation Administration (FAA) Notice Criteria Tool, this project area is located in proximity to a navigation facility and could impact navigation signal reception. As the project site develops every project applicant shall file FAA Form 7460 with the FAA at least 45 days before construction activities begin for every proposed project unless FAA staff, with the Obstruction Evaluation / Airport Airspace Analysis (OE/AAA), provides the project applicant with written communication that filing FAA Form 7460 is not required. It is highly recommended that the applicant file earlier than 45 days to provide the applicant with sufficient time to respond to any concerns which are identified by the FAA. Any cranes which are used must also be identified with Form 7460. Please file Form 7460 at <https://oeaaa.faa.gov/oeaaa/external/portal.jsp>
12. Prior to the City's approval of this rezoning request, the property owner shall record the Avigation Easement which discloses the existence, and operational characteristics of the Tucson International Airport to future owners or tenants of the property and further conveys the right to the public to lawfully use the airspace above the property. The Avigation Easement shall be recorded in a manner with the Pima County recorder which shall document it as having title liability. The content of such documents shall be according to the form and instructions provided.



AGREEMENT TO WAIVE ANY CLAIMS  
AGAINST THE CITY FOR ZONING AMENDMENT

This agreement ( "**Agreement**") is entered into between \_\_\_\_\_, as the owner of the property described herein ("**Owner**") and the City of Tucson ("**City**") to waive any and all claims for diminution of value that may be based upon action by the City in response to a request from the Owner. This Agreement is entered into in conformance with A.R.S. §12-1134(I).

The Owner is the holder of fee title to the property located at \_\_\_\_\_, Tucson, Arizona, (the "Property") which is more fully described in the Owner's application to the City in Case C9-19-04 and incorporated herein. The Owner, or the authorized agent of the Owner, has submitted an application to the City requesting that the City rezone the Property. The Owner has requested this action because the Owner has plans for the development of the Property that require the rezoning. The Owner believes that the rezoning of the Property will increase the value and development potential of the Property, and that this outweighs any rights or remedies that may be obtained under A.R.S. §12-1134 et. seq.

By signing this Agreement, the Owner waives any right or claim that may arise under A.R.S. §12-1134, including any claim for the reduction in the value of the Property, as a result of the enactment of the zoning amendment in Case C9-19-04 .

The Owner understands that City staff may propose, the Zoning Examiner may recommend and the Mayor and Council may adopt conditions to the requested zoning that limit the potential development of the Property. The Owner acknowledges that the rezoning and conditions are a single, integrated legislative approval. The Owner agrees and consents to all conditions that may be imposed. The Owner retains the right to withdraw the rezoning application prior to a vote by the Mayor and Council or to decline to implement the necessary requirements to effectuate the zoning if the Owner disagrees with any conditions that are proposed or approved. If the Owner does not withdraw the application, the Owner shall be deemed to have accepted all adopted conditions to the requested zoning. If the Owner withdraws the application or does not effectuate the new zoning, this Agreement is null and void.

This Agreement is entered into in Arizona and will be construed and interpreted under the laws of the State of Arizona. The Owner has agreed to the form of this Agreement provided and approved by the City Attorney. The Owner has had the opportunity to consult with an attorney of the Owner's choice prior to entering this Agreement and enters it fully understanding that the Owner is waiving the rights and remedies as set forth herein.

Upon execution, this Agreement shall be recorded in the Office of the Pima County Recorder.

The Owner warrants and represents that the person or persons listed herein as the Owner is/are the owner in fee title of the Property. The Owner further agrees to indemnify and hold the City of Tucson, its officers, employees and agents harmless from any and all claims, causes of action, demands, losses, costs and expenses based upon an alleged reduction of value of the Property as a result of the City's action in Case C9-19-04.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

Owner:  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

Owner:  
(Name of Individual, Corporation, Partnership, or LLC, as applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

By: \_\_\_\_\_  
(Signature of Owner or Authorized Representative, if applicable)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

Its: \_\_\_\_\_  
(Title of Individual Signing in Representative Capacity)

State of Arizona )  
County of \_\_\_\_\_ )

On this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_, before me personally appeared \_\_\_\_\_ on the basis of satisfactory evidence to be the person who he or she claims to be, and acknowledged that he or she signed the above/attached document.

\_\_\_\_\_  
Notary Public

My Commission expires:

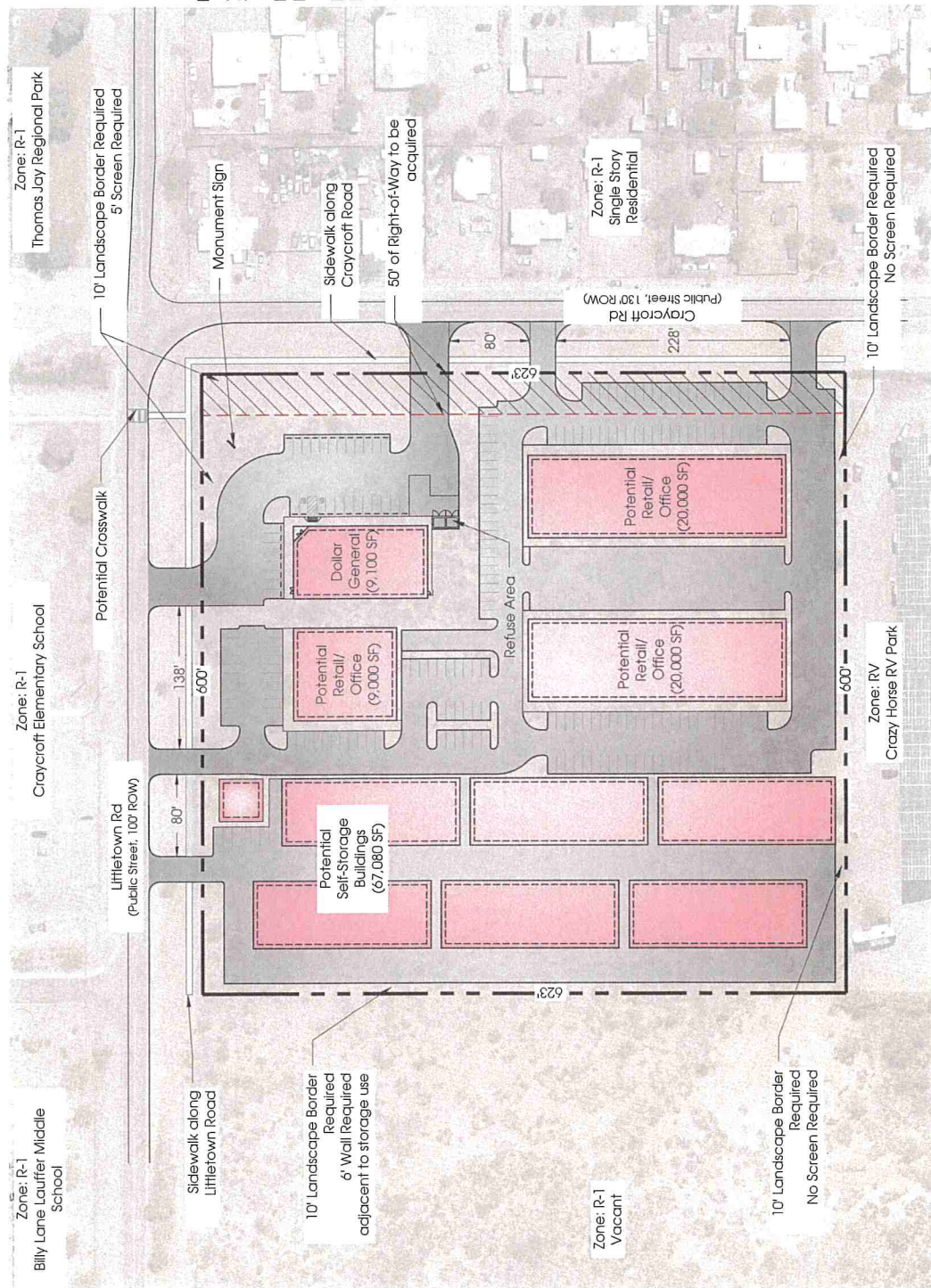
\_\_\_\_\_  
City of Tucson, an Arizona municipal Corporation:

By: \_\_\_\_\_  
Planning & Development Services Department

This form has been approved by the City Attorney.



## LITTLETOWN AND CRAYCROFT REZONE



Parking Provided: 265

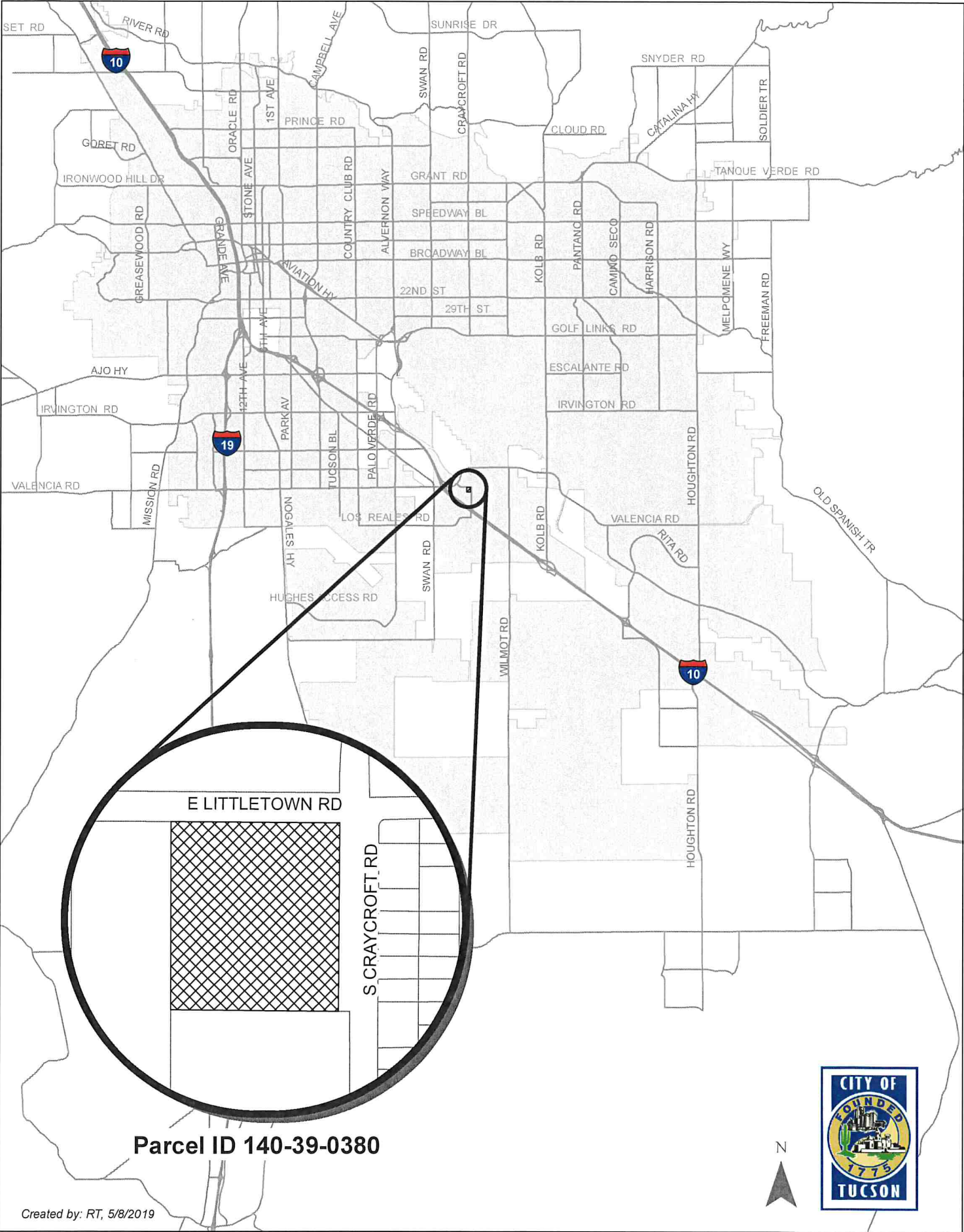
## Planning & Development Services



5151 E. BROADWAY, SUITE 1050, TUCSON, AZ 85711  
520-881-0731 Fax 520-881-0995 www.aconarchitecture.com

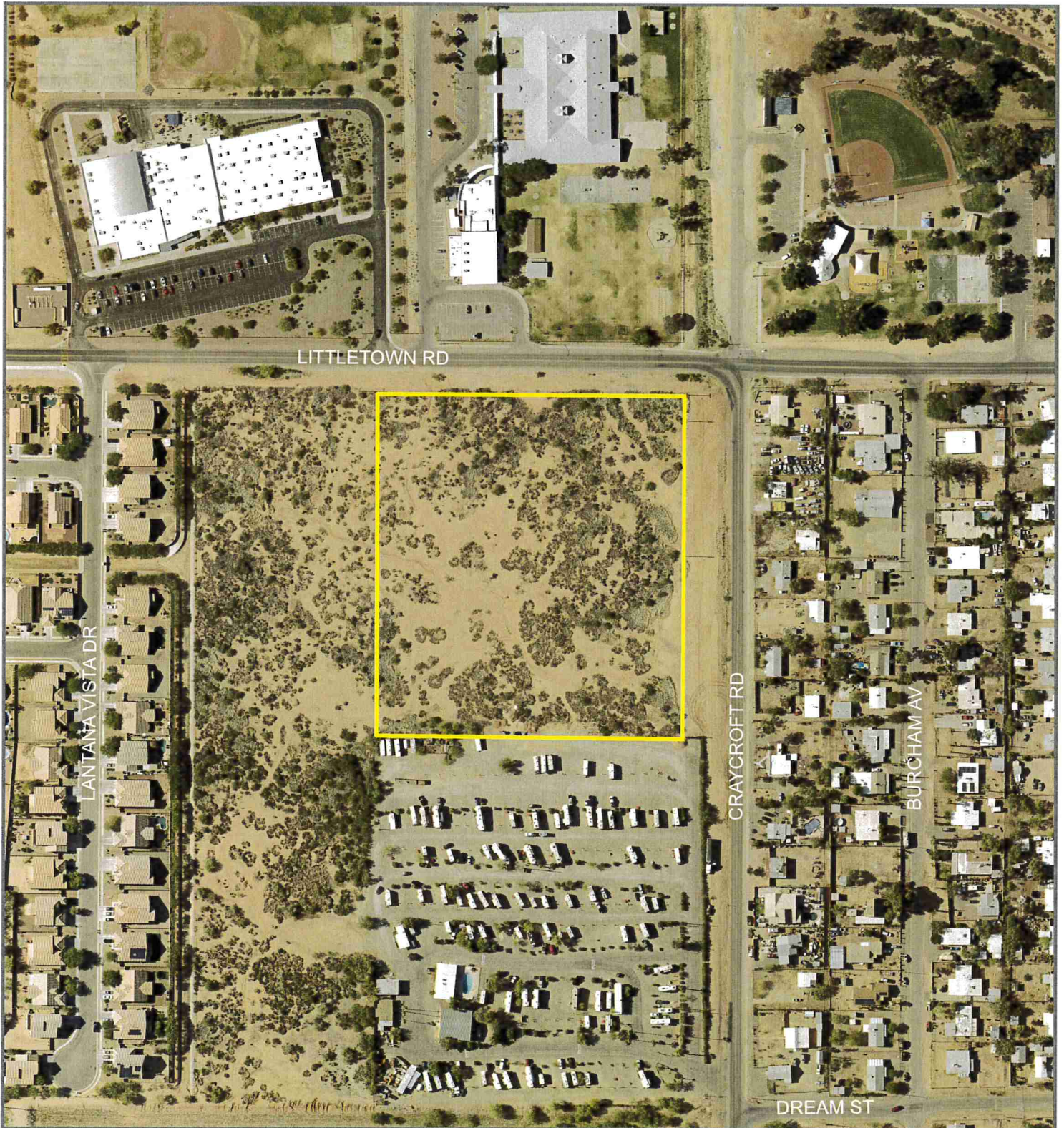


**C9-19-04 Littletown Road - Craycroft LLC**  
**Rezoning Request: From R-1 to C-1**





**C9-19-04 Littletown Road - Craycroft LLC**  
**Rezoning Request: From R-1 to C-1**



 Area of Rezoning: R1 to C1

Address: Parcel ID 140-39-0380  
Base Maps: Twp.15S Range14E Sec. 14  
Ward: 5

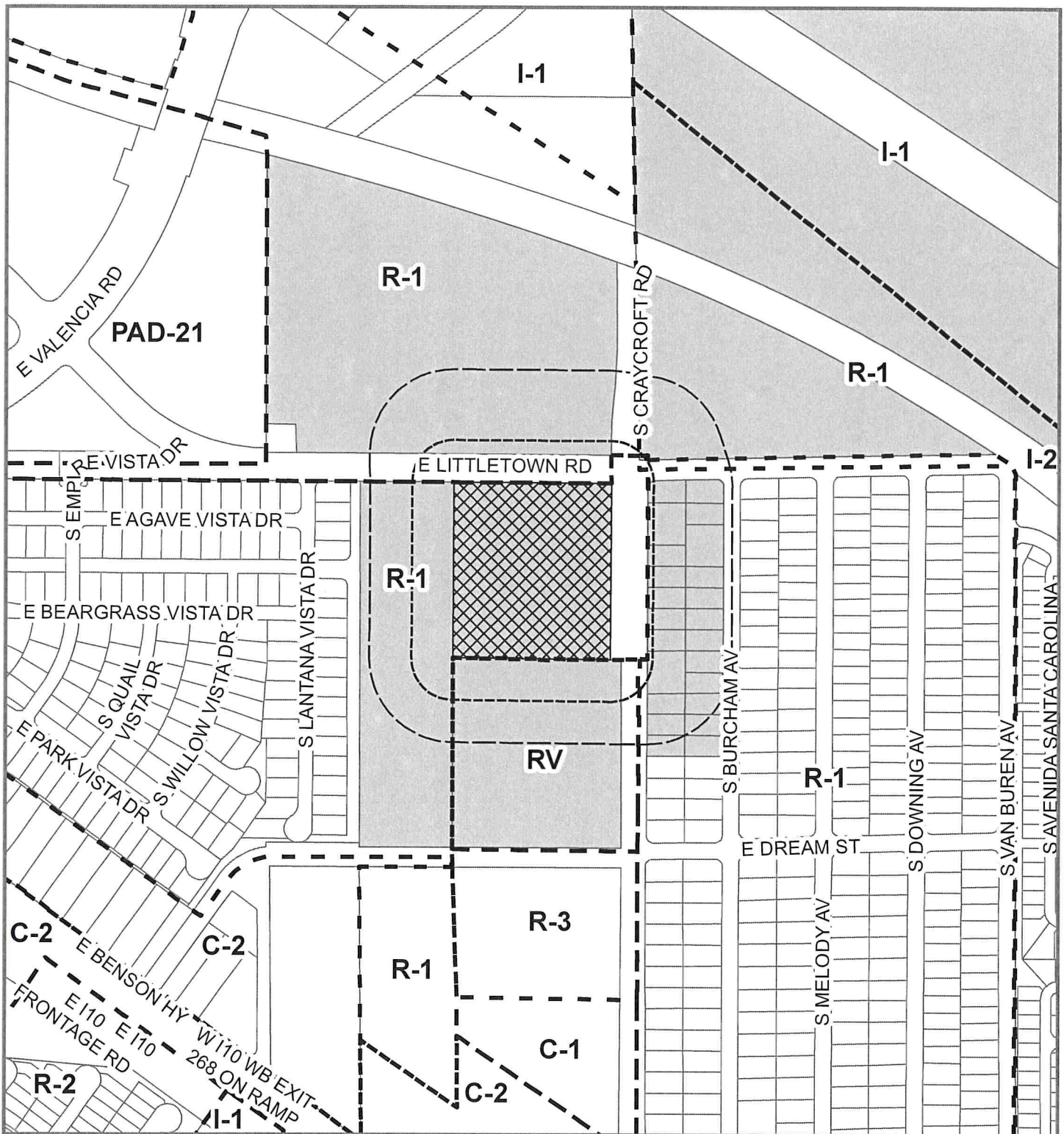


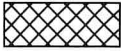
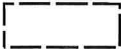
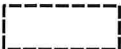


0 125 250 Feet  
1 inch = 250 feet





**C9-19-04 Littletown Road - Craycroft LLC**  
**Rezoning Request: From R-1 to C-1**



-  Area of Rezoning: R1 to C1
-  Notification Area (300 ft. Radius)
-  Protest Area (150 ft. Radius)
-  Zone Boundaries
-  Properties Notified

Address: Parcel ID 140-39-0380  
 Base Maps: Twp.15S Range14E Sec. 14  
 Ward: 5

0 250 500 Feet  
 1 inch = 500 feet





## Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Print your comments below, sign your name, and mail to the City of Tucson Planning and Development Services Department, Entitlements Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, Arizona 85726-7210. The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing. This form is not the City of Tucson Public Hearing Notice.

Protests from 20% of the property owners within 150' of the whole perimeter of the property being rezoned, including BOTH 20% of the property by area and 20% of the number of lots with 150', require an affirmative vote of  $\frac{3}{4}$  of the Mayor and Council (5 of 7 council members) to approve the rezoning or special Exception ordinance. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations. Calculations will be provided to the Mayor and Council.

**Case: C9-19-04 Littletown Road – Craycroft LLC, R-1 to C-1 (Ward 5)**

\_\_\_\_\_  
Property Owner(s) (PLEASE PRINT)

- ☐ APPROVE the proposed rezoning/special exception  
☐ PROTEST the proposed rezoning/special exception

**Reason:**

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OWNER(S) SIGNATURES	PLEASE PRINT PROPERTY ADDRESS	PLEASE PRINT YOUR MAILING ADDRESS

Date \_\_\_\_\_

Place  
Stamp  
Here

City of Tucson  
**Planning and Development Services Department**  
Entitlements Section  
201 N. Stone  
P.O. Box 27210  
Tucson, Arizona 85726-7210

C9-19-04

Expose this flap - Affix stamp and return

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City of Tucson PMc  
Planning and Development Services  
Department - Entitlements Section  
201 N. Stone Avenue  
P.O. BOX 27210  
Tucson, Arizona 85726-7210

C9-19-04

IMPORTANT LAND USE CHANGE NOTICE ENCLOSED